



Arnold Schwarzenegger, Governor  
State of California  
Business, Transportation and Housing Agency  
**Department of Managed Health Care**  
Office of Legal Services

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Sacramento, CA 95814-2725  
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[www.dmhc.ca.gov](http://www.dmhc.ca.gov)

**ACTION:** Second Amended Notice of Rulemaking Action  
Title 28, California Code of Regulations

**SUBJECT:** Scheduling Second Public Hearing and Extending the Written Comment Period  
for Definition of Unfair Billing Patterns; Adopting Section 1300.71.39 in Title 28,  
California Code of Regulations; Control No. 2008-1536.

**PUBLIC PROCEEDINGS:** Pursuant to Government Code section 11346.8(a), the Department  
of Managed Health Care (Department) has scheduled an additional public hearing regarding the  
above-referenced proposed rulemaking action.

**PUBLIC HEARINGS:**

As previously noticed, the first public hearing has been scheduled as follows:

**May 14, 2008  
10:30 a.m.  
Irvine Marriott  
18000 Von Karman Avenue  
Irvine, CA 92612  
Facility Contact: Wendy Schuck, Sales Manager (949) 553-0100**

The second public hearing is scheduled as follows:

**May 19, 2008  
10:00 a.m.  
Marriott San Diego Mission Valley  
8757 Rio San Diego Drive  
San Diego, CA 92108  
Facility Contact: Natosha Beck (619) 209-6634**

The purpose of these public hearings is to solicit and receive public comments regarding the  
above-referenced proposed rulemaking action. Any interested person, or his or her duly  
authorized representative, may attend one or more of the hearings and submit written or oral  
comments relevant to the proposed rulemaking action. Oral comments received during the  
public hearings should be limited to the subject of the proposed rulemaking action and no more  
than five (5) minutes in length. The Department's written response to all comments submitted  
during the public hearings will be made available on a date following the hearings.

The public hearings will adjourn after all verbal comments have been heard, or at 5:00 p.m.,  
whichever occurs sooner. The agendas for the public hearings are available on the Department's  
website under the "Upcoming Meetings" section at [www.dmhc.ca.gov](http://www.dmhc.ca.gov).

Second Amended Notice of Rulemaking Action

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**WRITTEN COMMENT PERIOD:** The written comment period for the above referenced rulemaking action is extended six (6) additional days to 5:00 p.m. on Tuesday, May 20, 2008. Any interested person, or his or her authorized representative, may submit written statements, arguments or contentions (hereafter referred to as comments) relevant to the proposed regulatory action by the Department. Comments must be received by the Department of Managed Health Care, Office of Legal Services, by 5 p.m. on Tuesday, May 20, 2008, which is hereby designated as the close of the written comment period.

Comments may be transmitted by regular mail, FAX, email, or via the Department's website:

Website: <http://wpso.dmhc.ca.gov/regulations/>  
Email: [regulations@dmhc.ca.gov](mailto:regulations@dmhc.ca.gov)  
Mail: Office of Legal Services  
Department of Managed Health Care  
Attn: Regulations Coordinator  
980 9<sup>th</sup> Street, Suite 500  
Sacramento, CA 95814  
Fax: (916) 322-3968

Please note -- if comments are sent via the website, email or fax, there is no need to send the same comments by mail delivery. All comments should include the author's name and U.S. Postal Service mailing address in order for the Department to provide copies of any notices for proposed changes in the regulation text on which additional comments may be solicited. Additional information regarding this rulemaking action is provided in the Notice of Rulemaking Action, which is posted on the Department's website at <http://wpso.dmhc.ca.gov/regulations/#1>.

Inquiries concerning this proposed rulemaking action may be directed to:

Rick Martin  
Deputy Director, Financial Solvency Standards Board  
Office of the Director  
Department of Managed Health Care  
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[rmartin@dmhc.ca.gov](mailto:rmartin@dmhc.ca.gov)

Emilie Alvarez  
Regulations Coordinator  
Office of Legal Services  
Department of Managed Health Care  
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**CONTACTS:** In your comments or inquiries, please use the Department's regulation title and control number, **Definition of Unfair Billing Patterns; Control #2008-1536**.

**REASONABLE ACCOMMODATIONS:**

Reasonable accommodations for persons with disabilities are available upon request. Please submit your request for reasonable accommodations at least seven (7) days in advance. The Department will attempt to accommodate late requests to the extent possible. You may submit your request via email to Emilie Alvarez, Regulations Coordinator, at [ealvarez@dmhc.ca.gov](mailto:ealvarez@dmhc.ca.gov). You may contact California Relay Service for the deaf or hearing impaired: 1-800-735-2929 (TTY) or 1-800-735-2922 (Voice).